

## **Minutes**

### **BURGLAR ALARM BOARD**

Room 4A

May 4, 2006 - 9:00 A.M.

Heber Wells Building

160 East 300 South, Salt Lake City, Utah

**CONVENED: 9:24 AM**

**ADJOURNED: 11:50 AM**

**PRESENT:**

Clyde Ormond, Bureau Manager

Darlene Congrove, Assistant Board Secretary

**Board Members:**

Larry Love

Scott Sessions

Duff Astin

Harold Weight

**GUESTS:**

Keith Nellesen, owner for APX Alarm Security Solutions, Inc. and APEX Alarm, LLC; Clint Beecroft, Peak Alarm

**TOPICS FOR DISCUSSION:**

**DECISIONS AND RECOMMENDATIONS:**

**ADMINISTRATIVE BUSINESS:**

Minutes

The minutes of the March 2, 2006 Board meeting were reviewed. A motion was made by Mr. Weight and seconded by Mr. Sessions to approve the Board Meeting Minutes of March 2, 2006, as written. The motion carried unanimously.

**APPOINTMENTS and NEW APPLICATIONS received since March 2, 2006 board meeting:**

9:30 a.m.

Jared Bowles – Probation Review

The Board discerned that it would be necessary for Mr. Bowles to meet with the Board at the next meeting on July 13, 2006, at 9:30 a.m.

10:00 a.m.

Robert Novasio – Probation Review

Mr. Novasio met with the Board for his probation interview. He stated that he understands the conditions of his Memorandum of Understanding (MOU). The Board inquired whether he has pursued the expungement issue, and he stated that not at this point in time. Because of an oversight of Mr. Novasio, he will submit his "Employer Report" as requested by the Board.

Later on this date, the Division was in receipt of his positive "Employer Report" dated May 4, 2006. It was also noted from his supervisor that he continues to perform his duties in a professional and very friendly manner.

Robert Novasio (Continued)

10:30 a.m.  
APX Alarm Security Solutions, Inc.  
New: QA: Larry Evers  
APEX Alarm, LLC  
Current QA: Jason Lindquist  
Owners

10:45 a.m.  
Amour Digital, Inc.- New,  
QA: Thomas Mertz

11:00 a.m.  
Norman Jones – Review Criminal History

Mr. Novasio is scheduled to meet with the Board on November 2, 2006, at 10:00 A.M.

Mr. Evers, proposed qualifying agent, for APX Alarm Security Solutions, Inc; Mr. Lindquist, qualify agent, for APEX Alarm, LLC; and Keith Nellesen, owner, met with the Board. Mr. Ormond stated that there is some ambiguity because these two companies have just about the identical name. It was also noted that the address is one and the same.

Mr. Nellesen, owner, stated that APX Alarm Security Solutions, Inc. is purchasing the assets of APEX Alarm, LLC. However, this is necessary because APX Alarm Security Solutions, Inc. is a corporation that can be recognized in all 50 states.

After careful discernment, the Board determined that Mr. Evers meets the requirements of the statute. A motion was made by Mr. Astin and seconded by Mr. Sessions to approve Mr. Evers to be the qualifying agent for the following companies: APX Alarm Security Solutions, Inc. and APEX Alarm, LLC. This company license can be issued upon a clear criminal background from the FBI for the officers of this company. The motion carried unanimously.

Mr. Mertz met with the Board to review an application as a burglar alarm company. The Board determined his work experience meets the requirements of the statute.

A motion was made by Mr. Astin and seconded by Mr. Sessions to approve Mr. Mertz to be the qualifying agent for this company. This company license can be approved if all the requirements have been met. The motion carried unanimously.

Mr. Jones met with the Board to review his reinstatement application as a burglar alarm agent. His Manager, Clint Beecroft, with Peak Alarm, also accompanied him. Upon signing the “Application for License Renewal/Reinstatement” form he indicated that he had not been arrested for, charged with, convicted of, pled no contest to or made a plea in abeyance.

Documentation dated March 23, 2003, received from the Murray Justice Court indicates the criminal charges of Simple Assault, Class B Misdemeanor; and Intoxication, Class B Misdemeanor, to which he pled guilty.

Norman Jones (Continued)

After careful discernment, a motion was made by Mr. Astin and seconded Mr. Weight to approve Mr. Jones for full licensure as a Burglar Alarm Agent. The motion carried unanimously.

11:15 a.m.  
My Sentinel, LLC  
New - QA: Keith Loeding

The Board reviewed an application for licensure as a burglar alarm company with Keith Loeding as the qualifying agent. The Board determined his work experience meets the requirements of the statute.

A motion was made by Mr. Weight and seconded by Mr. Astin to approve Mr. Loeding as the qualifying agent for this company, contingent upon the following:

- (1) It was noted that Mr. Loeding is the also the qualifying agent and owner for KV Security in which he signed the "Request for Verification of Qualifying Experience" form. Therefore, it is necessary for him to submit additional information regarding this situation because there is some ambiguity as to whether he can sign his own "Request for Verification of Qualifying Experience" form.
- (2) Submit documentation of passing the Burglar Alarm Qualifier Examination and the Utah Burglar Alarm Security Law and Rules.
- (3) Receipt of a clear criminal background from the FBI for the officers of this company.

11:30 a.m.  
Aden Durrent Watts – Review Criminal History

The Board reviewed Mr. Watt's application for licensure as a burglar alarm agent. He answered, "Yes" on the qualifying questionnaire regarding having pled guilty to, no contest to, or been convicted of a misdemeanor.

Documentation dated December 3, 2002, from the Superior Court of California, County of Orange, Harbor Justice Center, Newport Beach Facility, show a criminal charge of Possession of a Deadly Weapon, Misdemeanor, to which he pled guilty.

In addition, documentation dated July 9, 2003, from the Superior Court of California, County of San Diego, North County Division, show a criminal charges of Vandalism Over \$400, Misdemeanor; and Possession of Tagging Tools, Misdemeanor, to which he pled guilty.

After careful consideration, a motion was made by Mr. Weight and seconded by Mr. Sessions to approve Mr. Watts for licensure. The motion carried unanimously.

11:45 a.m.  
Safe and Sound Systems, Inc.  
Change of QA: Peter Dyer

Mr. Dyer met with the Board to review an application as replacement of qualifying agent. The Board determined his work experience meets the requirements of the statute.

A motion was made by Mr. Astin and seconded by Mr. Sessions to approve Mr. Dyer to be the qualifying agent for this company. The motion carried unanimously.

12:00 p.m. – Axiom Security, LLC  
New, QA: Ryan Romney

Mr. Romney met with the Board to review an application as a burglar alarm company. The Board determined his work experience meets the requirements of the statute.

A motion was made by Mr. Weight and seconded by Mr. Austin to approve Mr. Mertz to be the qualifying agent for this company. This company license can be approved if all the requirements have been met. The motion carried unanimously.

#### **DISCUSSION ITEMS:**

Wayne Holman - Burglar Alarm Enforcement

Mr. Holman met with the Board to discuss Burglar Alarm Enforcement policies including the requirement to be licensed to terminate/hang alarm devices. He also discussed the details regarding the Alarm Business or Company definitions as stated in Subsection 58-55-105 (1)(b):

"Alarm business or company" does not include:

- (i) a person engaged in the manufacture and sale of alarm systems when that person is not engaged in the installation, maintenance, alteration, repair, replacement, servicing, or monitoring of alarm systems, and the manufacture or sale occurs only at a place of business established by the person engaged in the manufacture or sale and does not involve site visits at the place or intended place of installation of an alarm system; or
- (ii) an owner of an alarm system, or an employee of the owner of an alarm system who is engaged in installation, maintenance, alteration, repair, replacement, servicing, or monitoring of the alarm system owned by that owner.

After careful discernment by the Board, it appears that it would behoove the Division to elucidate this so that it unmistakably defines the requirements of the industry.

**NEXT SCHEDULED MEETING:**

July 13, 2006, 9:00 a.m. Room 4A

---

DATE APPROVED

---

CHAIRPERSON, BURGLAR ALARM BOARD

---

DATE APPROVED

---

BUREAU MANAGER, DIVISION OF  
OCCUPATIONAL & PROFESSIONAL  
LICENSING